

EXHIBIT E

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MIRIAM BAUZA,

Plaintiff,

- against - Case No. 07 CIV. 6542

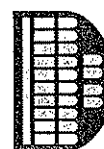
MEDIACOM COMMUNICATIONS CORPORATION,

Defendant.
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March 17, 2008

10:04 a.m.

Deposition of REGINA BURGOS, a witness on behalf
of the Defendant herein, taken pursuant to Notice,
and held at the offices of Bonnist & Cutro, 800
Westchester Avenue, Suite S332, Rye Brook, New
York, before April Pearl Schirm, a Court Reporter
and Notary Public of the State of New York.



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1 REGINA BURGOS

2 responsibilities, as far as you were concerned?

3 A. When she first came back? Am I
4 allowed to ask you a question?

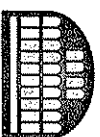
5 MR. RIOLO: Why don't you qualify
6 it. If you want to break it down into
7 different times, you can do that to answer
8 his question.

9 Q. We're not talking about a long period
10 of time from when she returned and when she left.
11 she returned from disability leave in the summer
12 '06. My question to you is, was she meeting your
13 expectations? If there came a point when she
14 wasn't in any regard, let me know and we'll talk
15 about it.

16 A. When she first came back, I gave an
17 opportunity to see what her knowledge was, which I
18 tend to do with all of my employees to see what
19 level they are at. So I gave her an opportunity
20 to show me what she knew. I gave her different
21 assignments. And no, she did not meet my
22 expectations.

23 Q. In particular what didn't she meet
24 your expectations in?

25 A. I felt she did not have a thorough



1 REGINA BURGOS

2 A. Judy Mills.

3 Q. Why did you discuss it with Ms. Mills?

4 A. Because this was a payroll supervisor
5 that did not know payroll.

6 Q. Now, did you discuss other performance
7 issues of other employees with Ms. Mills besides
8 these two incidents with Ms. Bauza?

9 A. I only had two employees.

10 Q. So still the question is, did you ever
11 discuss any other performance issues with Ms.
12 Falto with Ms. Mills?

13 A. Yes.

14 Q. You did?

15 A. Yes.

16 Q. What issues did you have with Ms.
17 Falto's performance?

18 A. Putting down overtime when I felt
19 there was no need for it.

20 Q. Explain what your problem was with
21 that issue with Ms. Falto?

22 A. I didn't feel there was a need for
23 overtime to get the job done.

24 Q. Let me ask you, did you believe Ms.
25 Falto was not working the overtime, or do you



1 REGINA BURGOS

2 believe that she was taking too long to do the job
3 and then requesting overtime?

4 A. Both.

5 Q. You told this to Ms. Mills?

6 A. Yeah, and I told it to Gladys too.

7 Q. When did you raise this issue with Ms.
8 Mills about the overtime?

9 A. I don't recall.

10 Q. Prior to Ms. Bauza being terminated?

11 A. Yes.

12 Q. What did Ms. Mills say in response to
13 the complaints you made about Ms. Falto?

14 A. It wasn't really -- I don't know. I

15 don't remember.

16 Q. Is Ms. Falto still employed at
17 Mediacom?

18 A. No, she is not.

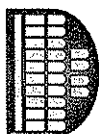
19 Q. When did her employment end?

20 A. Maybe June 2007.

21 Q. What was the reason her employment
22 ended?

23 A. She voluntarily quit.

24 Q. Was Ms. Falto ever disciplined, to
25 your knowledge, as a result of the overtime issues



1 REGINA BURGOS

2 an employee.

3 A. Not that I know of.

4 Q. Theft of time, have you ever heard
5 that?

6 A. No. I never put it like that. She
7 was saying she worked from home, and I didn't feel
8 that the job needed those hours. I didn't know
9 whether she worked them or not, but I didn't feel
10 the job needed those hours.

11 Q. So you had a -- like I just asked you
12 a few moments ago.

13 A. Conversation.

14 Q. You questioned whether or not there
15 was -- one of the issues you had was whether or

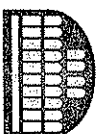
16 not that time was actually worked by Ms. Falto?

17 A. Yes.

18 Q. Did your review of the Aetna records
19 in regard to disability payments ever turn up
20 anyone besides Ms. Bauza? I'm talking about from
21 the time you started working to the present day.

22 A. No.

23 Q. As far as you are concerned, as far as
24 disability payments were concerned, that was the
25 only mistake that was made?



REGINA BURGOS

A. She would let me know one way or another.

Q. In particular, this particular email, it says, Gladys is out of the office today and I will be out of the office after 9:15 a.m. also and will return tomorrow. If there are any issues that need immediate attention, please feel free to contact Regina Burgos, and it lists your number.

Do you recall responding to this email in any way?

A. I probably did, and my response would be, why did you come in at all.

Q. Why would that be your response?

A. Because the office only opens at 8:00.

why would you come in the office for an hour.

Q. Okay. You didn't think she was being a diligent employee, trying to get as much work in as possible instead of taking the whole day off?

A. In an hour? No. She is driving from Newburgh to Middletown to wherever she has to go. I would be -- if I'm going for chemotherapy, coming into work an hour before, you'd be stressed, in my opinion, but.

Q. You didn't think -- this didn't

